

REMARKS/ARGUMENTS

Claims 1-20 have been presented for examination. By the Office Action dated October 01, 2004, Claims 1, 3-7, 9, 10, 12-14, 17, 19 and 20 have been rejected under 35 U.S.C. §102(e) as being anticipated by Ortiz (US. Pub. No. 2002/0058499 A1). Claims 2, 11, 15, 16, and 18 have been rejected under 35 U.S.C §103(a) as being obvious in view of Ortiz and Levy (US. Patent 6,556,997). Claim 8 has been rejected under 35 U.S.C §103(a) in view Ortiz, Kimball (U.S. Patent 5,953,322) and Iwama et al (U.S. Patent No. 6,600,735).

By this response, Claims 2-7, 9-13 and 15-20 remain unchanged and Claims 1 and 14 have been amended by including therein the feature of original claim 8. Accordingly, Claim 8 has been deleted and no new matter has been added. Claims 1-7 and 9-20 are therefore still pending. Given the reasons set forth below, reconsideration is respectfully requested.

Rejection under 35 USC §102

In response to the rejection of Claim 1 in the Office Action, Applicant respectfully but strongly submits that the cited document, Ortiz (US 2002/0058499 A1), does not anticipate Applicant's claimed invention.

Ortiz (US 2002/0058499 A1)

In the Office Action, the Examiner has already acknowledged that the feature of original Claim 8 is not disclosed in Ortiz. As amended Claim 1 includes the feature of original Claim 8, the subject matter of amended Claim 1 is thus also novel in view of Ortiz.

As amended Claim 14 relates to a system having features entirely corresponding to the method claim defined in amended Claim 1, based on the reasons above, Claim 14 is therefore also novel in view of Ortiz.

Rejection under 35 USC §103**Kimball (US 5,953,322)**

Kimball teaches a cellular telephone that provides the capability of performing Internet telephone calls using hardware vocoders and communication circuitry already present in the normal cellular phone. Kimball further teaches that voice data is digitized and formatted into a format (Internet Protocol (IP)) suitable for a computer (internet telephone device) to understand. Kimball also teaches that the formatting is done by either the cellular phone or by the mobile station (see page figure 1, column 1 line 56-65, claims 1 and 9). There are no teachings, suggestions or hints on the use of a gateway to communicate with the cellular phone (mobile device) to format the digitized voice data (wireless voice data) into the IP suitable for understanding by the computer.

In addition, Kimball is concerned with a cellular phone that transmits voice data for performing Internet telephone calls and therefore not pertinent to the particular problem with which Applicant's invention is concerned. A skilled person would not have taken into account the teachings of Kimball when in search of a method of applying information to appliances via both a mobile device and a computer system (to which the claimed invention relates).

Moreover, even if a skilled person were to combine the teachings of Kimball and Ortiz, both of which do not teach, suggest or hint at the use of a gateway, he would not have arrived at the method of the claimed invention. Ortiz discloses a method for data brokering between mobile devices and appliances. The method of Ortiz involves transmitting data request from the mobile device via a wireless network (referred to as the first communication network by Examiner) to the multimedia data base resources (referred to as computer system by Examiner), generating a list of available data as the first part of the response to the data request, transmitting the list of available data to the mobile device as the second part of the response, designating from the list of available data a designated data to be processed and the appliance to which the designated data is to be applied as instructions, retrieving the designated data and applying the designated

data via a supporting network (referred by Examiner as the second communication network). Ortiz further teaches that the first communication network consist of Mobile System Controllers (MSC), cellular antennas, Base Station Controllers (BSC) and the mobile devices. Ortiz teaches that the formatting of the instructions transmitted from the mobile device into a format suitable for the computer system to understand is carried out by the components of the first communication network, that is the MSC, BSC, mobile device etc as previously mentioned (see figure 1, paragraph [0046] and [0047]). Combining the teachings of Ortiz and Kimball would only lead to a method that includes the use of a cellular phone and/or Base Station Controllers and/or Mobile System Controllers and/or Mobile Station to communicate with the mobile device and to convert the instructions from a mobile device into a suitable format that a computer system can understand.

This method is distinctly different from the claimed invention which includes the use of a gateway to communicate with a mobile device and to convert the instructions from the mobile device into a format that a computer system can understand.

In this respect, it is not clear to the applicant how to understand the Examiner's statement that a gateway is known in the art of phone communications and provides translation between two disparate networks, and the applicant respectfully ask for corresponding clarification.

In this regard, applicant also respectfully submits that Iwama et al. discloses only a method of an Internet telephone connection which includes gateway devices, gate keepers and a bandwidth controller. However, this disclosure neither alone nor in combination with Ortiz and Kimball teach or suggest the invention defined in amended Claims 1 and 14.

Applicant further respectfully submit that the need to combine the teachings of 3 or more documents (3 in this case: Ortiz, Kimball and Iwama et al.) to arrive at a claimed

invention shows that the subject matter of pending claims 1 and 14 is indeed not obvious, contrary to the opinion of Examiner.

In summary, the applicant submits that the teachings of Ortiz, Kimball and Iwama et al. do not anticipate or render the invention as recited in the pending claims 1 and 14 obvious. Pending claims 1 and 14 are therefore patentable in view of the cited references.

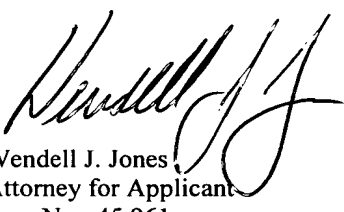
Accordingly, original dependent claims 2-7, 9-13, 12-20 should be allowable in view of patentability of independent claims 1 and 14.

In light of the above-mentioned arguments, the applicant respectfully requests for a timely issuance of the Notice of Allowance in this application.

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Respectfully submitted,

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